10-30-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

§ § §

In Re Patent Of: Albert Charles McNamara

Patent No. 5,901,641 May 11, 1999

Serial No.: 10/072,001

Filing Date: February 8, 2002

Title:

Issued:

BAFFLE FOR DEEP FRYER

HEAT EXCHANGER

Attorney Docket No.: P-109009(Reissue)

AF HE

Examiner: Timothy F. Simone

Art Unit: 1761

Mail Stop Response Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION DATED OCTOBER 16, 2003

This correspondence is being filed as a full response to the Office action of October 16, 2003. Applicant respectfully requests entry of the following arguments and consideration of the appended remarks.

OFFICE ACTION

The Examiner rejected claims 1 and 6-43 as being based upon a defective reissue declaration under 35 USC §251, and indicated that an appropriate supplemental oath/declaration under 35 CFR 1.175(b)(1) will overcome this rejection and allow the Examiner to issue a Notice of Allowance for the instant reissue application.



REMARKS

In accordance with the Examiner's requirement, the Applicant has attached a supplemental declaration under 37 CFR §1.175, signed by the Inventor, A. C. McNamara. The Applicant respectfully submits that this response is a proper response to the final rejection under 37 C.F.R. 1.113.

Applicant respectfully requests that this response be considered by the Examiner and a notice of allowance be entered. If the Examiner feels that a telephone conference with the undersigned would be helpful to the allowance of this application, a telephone conference is respectfully requested.

Respectfully submitted, JACKSON WALKER L.L.P.

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CERTIFICATE OF EXPRESS MAILING

37 C.F.R. §110

I hereby certify that this document and its attachments are being deposited with the United States Postal Service as Express Mail Post Office to Addressee Service, as Express Mail No.: EV323256118US prior to the last scheduled pick up, in an envelope addressed to Commissioner for Patents, Mail Stop Response, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

October 29, 2003

Date